

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 9, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

Invocation was delivered by REV. BILL OLIVER, Highland Park Baptist Church, 5206 Park Crest.

Councilman Palmer moved that the Minutes of the Meeting of July 2, 1959, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. AL WILLIAMS and MR. BELDING appeared before the Council asking permission to use a portion of South 1st Street from 12:00 until 6:00 P.M. on Sunday, July 26, for the Soap Box Derby. The Chief of Police made a report on the recommendation of the Traffic Division. After discussion, Councilman Perry moved to permit the use of this area from noon until 6:00 P.M. for the Soap Box Derby with the understanding that the group would start right away looking for a more suitable place for next year. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MRS. MYRTLE WOFFORD submitted a petition asking that street lights be placed in Georgian Acres on Georgian Drive from Deen Avenue on the south to Rundberg Lane on the north. She asked also for stop signs, particularly on

Georgian Drive where it makes the off-set and goes to Rundberg Lane. The City Manager stated twelve street lights had been authorized in this area and would be installed within the next six weeks. The request for stop signs was referred to the City Manager. Mrs. Wofford asked that this area be provided sewers, and the Mayor stated that this would be checked into also.

The Council stood in memory and honor of MR. G. L. HUCKABY, member of the Tax Equalization Board, who died July 5th, and the City Attorney was instructed to prepare a Resolution for next week, and that a copy of the Resolution would be sent to the family.

Councilman White moved that MR. CARL B. STERZING be appointed on the Board of Equalization to succeed MR. HUCKABY. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council took no action on the final passage of the ordinance amending the Code to provide for assessment to property for cost of removing weeds, brush, and other objectionable or unsanitary matter, and the matter was postponed until the following week. The City Attorney displayed an advertisement to be published and listing the people that were available to clear lots. Suggested changes were made on the wording, and the City Attorney was instructed to publish the ad as changed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING:
(1) (A) LOTS 1-4, BLOCK 1, UNIVERSITY PARK ADDITION, AND
(B) LOTS 5 AND 6, BLOCK 1, UNIVERSITY PARK ADDITION, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND,
(2) LOT 3, CHERNOSKY SUBDIVISION NO. 6, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES ORDERED HEREBY; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"July 7, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Bids were received until 2:00 P. M. Tuesday, July 7, 1959, at the office of the Director of Water and Sewer Department for the construction of the 48 inch Outfall Sanitary Sewer Main from the City of Austin Sewage Treatment Plant to Gardner Road. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Karl Wagner, Incorporated	\$64,867.70	50
Eland Construction Company	87,796.00	100
Austin Engineering Company	89,582.00	75
Capitol Construction Company, Inc.	90,743.12	90

"It is recommended that the contract be awarded to Karl Wagner, Inc. on their low bid of \$64,867.70, with 50 working days.

"Yours truly,
(Sgd) S. A. Garza, Superintendent
Sanitary Sewer Division
(Sgd) Albert R. Davis, Director
Water and Sewer Department

Approved: W. T. Williams, Jr.
City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 7, 1959, for the construction of a 48 inch outfall sanitary sewer main from the City of Austin Sewage Treatment Plant to Gardner Road; and,

WHEREAS, the bid of Karl Wagner, Incorporated, in the sum of \$64,867.70, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Karl Wagner, Incorporated, in the sum of \$64,867.70 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with Karl Wagner, Incorporated.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OR TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Waltey, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council has found that the use of property abutting the street at the location described below is such that the free flow and expeditious handling of traffic on said street requires that the following location be designated as a loading zone:

<u>ON</u>	<u>SIDE</u>	<u>LOCATION</u>
San Jacinto Street	East	From the south line of the east-west alley to a point 25 feet south thereof 503 San Jacinto

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be and she is hereby authorized and directed to record this finding in Section 33.53 (7) of the Traffic Register of the City of Austin.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, W. D. Anderson Construction Company is the Contractor for the addition to a building located at 1919 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lots 7 and 8, Louis Horst Subdivision, Outlot 21, Division D, of the City of Austin, Travis County, Texas, during the

addition to the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said W. D. Anderson Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described property; thence in a northerly direction and at right angles to the center line of West 20th Street to a point at the south curb line; thence in an easterly direction and parallel with the center line of West 20th Street approximately 85 feet to a point; thence in a southerly direction and at right angles to the center line of West 20th Street to the north line of the above described property.

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the center line of Guadalupe Street to a point in the East curb line; thence in a southerly direction and parallel with the centerline of Guadalupe Street approximately 100 feet to a point; thence in an easterly direction and at right angles to the center line of Guadalupe Street to the west line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said W. D. Anderson Construction Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least four feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than January 15, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council discussed the progress report on Water and Sewer contracts noting those that were completed.

The Council received the report of the Electric Utility Department for June 1959.

The City Manager reported that WATER CONTROL AND IMPROVEMENT DISTRICT NO. 7 (Walnut Hills and Ewbanks Acres) had been notified that they should extend their line south to tie into the new water line, as the present line servicing their district is not large enough.

The City Manager gave a report on the golf carts that are being used, and stated that the carts were being converted now to comply with the rules; that the stripped down cars were equipped with large tires and were carrying only two persons. The City Manager stated he was not ready to submit a recommendation at this time, but would have it worked out soon and suggested that the size of the vehicle should be restricted, and the places where they go should be limited.

The Mayor stated a special meeting would be called next week to go over some studies made by the City Manager, on the firemen's hours and the new state law; and on various fees charged.

The City Attorney explained House Bill 11, pertaining to boats, which would become effective August 11, 1959, stating it would supercede city ordinances providing for identification and licensing of boats. Registration fees and fines collected for violations would be paid into the State. The Mayor read a letter from MR. RIGGAN, President of the Austin Chamber of Commerce regarding boating safety on Lake Austin and asking the Council to take immediate action to control imprudent speeding on the lake. The Chief of Police reported that there was a stepped up campaign already in progress. The letter was referred to the Chief of Police for answer.

The City Manager inquired about the appointment of a Judge for the Corporation Court during the time Judge Deugherty is on vacation beginning July 20th.

The Council granted the request of the Sheriff's Possee to set up a stand in front of the Austin Hotel on Saturday, July 11th and Monday, July 13th, to advertise the Rodeo.

The Assistant City Manager stated that the Boy Scouts were having this big Pan American celebration in Chicago, and that they were going to carry a torch from Laredo to Chicago, and the Austin groups will be responsible to carry it from Hayes County to Roundrock. They wanted a motorcycle escort through the City. The Council informally agreed.

There being no further business, the Council adjourned at 11:40 A.M., subject to the call of the Mayor.

ATTEST:


City Clerk

APPROVED


Mayor